

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21435 of 2004

Between:

P.V.A.Anand S/o Kameswara Rao
Under dismissed State Bank of India, Katta subbarao, street
Eluru, W.G.District.

..... PETITIONER

AND

State Bank of India, Vijayarai, W.G.District.,
Rep.by its Branch Manager

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent in not permitting the petitioner from withdrawing the provident fund amount lying in his account No.S-6 Rs.76,451/- as illegal, arbitrary and consequentially direct the respondent to permit the petitioner to have withdrawal of the PF amount forthwith.

Counsel for the Petitioner:MR.M.L.ALI (Not present)

Counsel for the Respondent No.: Smt.Y.Padmavathi, Standing Counsel for SBI, Vijayarai.

The Court made the following :

ORDER:

The writ petition is filed seeking a Mandamus, to declare the action of the respondent in not permitting the petitioner from withdrawing the provident fund amount lying in his account No.S-6 Rs.76,451/- as illegal, arbitrary.

None appeared for the petitioner.

Smt.Y.Padmavathi, Learned Standing Counsel for the respondent has brought to the notice of this Court that in pursuance of the attachment order passed by the I Additional Junior Civil Judge , Eluru, an amount of Rs.75,200/- relating to Puvvada Venkata Aravind Anand, S/o.Kameswara Rao in the Account No.S-6 was attached by this Court and sent to the Civil Court for Deposit. Therefore, there is no amount lying in the petitioner's account.

In view of the submission made by the learned Standing Counsel for the respondent, there is no lis to be adjudicated in this writ petition inasmuch as the competent authority has already attached the amount to the petitioner lying in his account No.S-6 in pursuance of the attachment order, and the said amount has been credited to the Civil Court Deposit. Therefore, the Writ Petition is devoid of merits and is liable to be dismissed.

The writ petition is accordingly dismissed. In the circumstances of the case, there shall be no order as to costs.

31st January, 2004.

Mrb

To

1. The Branch Manager,

State Bank of India, Vijayarai, W.G.District.,

2. Two CD Copies.